

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: PETITION OF FRESCATI	:	CIVIL ACTION
SHIPPING COMPANY, LTD., as	:	
Owner of the M/T ATHOS I and	:	
TSAKOS SHIPPING & TRADING,	:	
S.A., as Manager of the ATHOS I	:	
for Exoneration from or	:	
Limitation of Liability	:	No. 05-cv-00305-JF

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UNITED STATES OF AMERICA	:	CIVIL ACTION
	:	
V.	:	
	:	
CITGO ASPHALT REFINING COMPANY,	:	
et al.	:	No. 08-cv-02898-JF

ORDER

AND NOW, this 8<sup>th</sup> day of October 2009, upon consideration of the various motions by Citgo to strike and bar expert reports and opinions, and after argument on said motions, IT IS ORDERED:

1. That Citgo's motions are DENIED, conditioned upon the fulfillment of the commitments made by Frescati's counsel at oral argument, namely, reimbursement of any additional expenses occasioned by the late-filing of the expert reports in question.

2. Any party may file an amended or supplemental report of one or more experts, notwithstanding the fact that such expert has already been deposed, provided: a) the proponent of the supplemental report agrees to bear the expense attendant upon

further depositions of that expert witness, and (b) all such reports are filed not later than February 1, 2010.

BY THE COURT:

/s/ John P. Fullam  
John P. Fullam, Sr. J.